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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,766	12/06/2001	Ricky Clemmons		3318

7590 03/03/2003

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EXAMINER

SMITH, MATTHEW J

ART UNIT	PAPER NUMBER
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3672

DATE MAILED: 03/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicant N .

Applicant(s)

10/016,766

CLEMMONS, RICKY *le*

Examiner

Art Unit

Matthew J. Smith

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 23-25 is/are allowed.
- 6) ☐ Claim(s) 1-7, 9, 12 and 16-22 is/are rejected.
- 7) ☐ Claim(s) 8, 10, 11 and 13-15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: .

Specification

The abstract of the disclosure is objected to because the last two sentences are extraneous and should be deleted. Correction is required. See MPEP § 608.01(b).

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Driver (4149391). Driver discloses a drill pipe 1 comprising inner conduit 7 having a wire coil 3 coaxially around the conduit and the coil illustrated as oriented nonorthogonally to the drill pipe axis.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 9, 12, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. (4856600) in view of Thiery et al. (3777827). Baker et al. disclose drilling rig 22 having a power source 42 attached to a rotatable reel 18, coiled flexible tubing drill pipe 16, drill bit 14, injector unit drive mechanism 20 adjacent the reel, and a conduit 26 positioned adjacent the drive. However, Baker et al do not disclose a container for reel 18. Thiery et al. show a container 7 for flexible drill pipe 2.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to encase the Baker et al. reel in a container, as shown by Thiery et al. to reduce bulkiness of a drilling device (col. 1, lines 29-31).

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. in view of Thiery et al. as applied to claim 1 above, and further in view of Driver (4149391). The combination discloses a drilling rig having a container for a flexible drill pipe reel. However, the combination does not disclose drill pipe made up of an inner conduit surrounded by a wire coil oriented nonorthogonally to the drill axis. Driver shows a conduit 7 surrounded by wire coils illustrated at an angle to a line perpendicular to the drill axis.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the Driver drill pipe in the combination in order that the drill pipe not collapse under torsion loads (col. 1, lines 42-43).

Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al. in view of Thiery et al. and Driver as applied to claim 3 above, and further in view of Cherry (6220372). The combination discloses a drilling rig having a container for a reel holding a flexible drill pipe made up of an inner conduit surrounded by a wire coil oriented nonorthogonally to the drill axis and Driver further shows a coupling 2. However, the combination does not show a second wire coil. Cherry reveals coaxial wire coils 31, 32 illustrated at an angle to a line perpendicular to the drill axis.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to use the Cherry drill pipe in the combination in order that the direction of winding of the outer coil tightens as the inner coil expands (col. 2, lines 48-51).

Claims 19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Driver in view of Cherry. Driver discloses a conduit 7 surrounded by wire coils illustrated at an angle to a line perpendicular to the drill pipe axis, plurality of wires 4 generally parallel to the drill pipe axis, and a coupling 2. However, Driver does not disclose a second wire coil. Cherry reveals coaxial wire coils 31, 32 illustrated at an angle to a line perpendicular to the drill axis.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine the two drill pipes so that the direction of winding of the outer coil tightens as the inner coil expands (col. 2, lines 48-51).

Allowable Subject Matter

Claims 8, 10, 11, and 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art fails to show a troughed guide blocks to engage coils, rotation connector or a tube guide at a reel.

Claims 23, 24 and 25 are allowed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. 2960851 presents moving a coiled line with a troughed wheel. 5360075 divulges adjusting a drill bit steering by moving the support structure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Smith whose telephone number is 703-305-5135. The examiner can normally be reached on M-F, 9-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 703-308-2151. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-308-7687 for After Final communications.

Art Unit: 3672

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-1113.

MJS *MJS*
February 24, 2003


DAVID BAGNELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600